

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941-BB

RIO CHAMA STREAM SYSTEM
Section 7: Rito de Tierra Amarilla

Subfile Nos. CHTA-003-0038
CHTA-004-0035

**MOTION FOR SUBSTITUTION OF PARTIES
IN SUBFILES CHTA-003-0038 AND CHTA-004-0035**

The Plaintiff State of New Mexico, *ex rel.* State Engineer moves the Court to issue its order substituting Gilbert L. Martinez for Defendant Joann C. Martinez in these proceedings in Subfiles CHTA-003-0038 and CHTA-004-0035 and as grounds states as follows:

1. Gilbert L. Martinez has informed the State that he is the current owner of the irrigated lands in Subfiles CHTA-003-0038 and CHTA-004-0035, and he has provided a copy of the deed filed with the Rio Arriba County Clerk on February 28, 2008 (Bk. 531, Pg. 1351) showing that he is the new owner of the property.

WHEREFORE the State of New Mexico requests the Court to enter its order substituting Gilbert L. Martinez for Defendant Joann C. Martinez in these proceedings.

Respectfully submitted,

/s/ Ed Newville
EDWARD G. NEWVILLE
Special Assistant Attorney General

Office of State Engineer
P.O. Box 25102
Santa Fe, NM 87504-5102
(505) 867-7444

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 29nd day of July 2010, I filed the foregoing electronically through the CM/ECF system which caused the parties on the electronic service list, as more fully set forth in the Notice of Electronic Filing, to be served via electronic mail, and served the following non-CM/ECF Participants in the manner indicated:

via first class mail, postage prepaid addressed as follows:

Gilbert L. Martinez
P.O. Box 332
Tierra Amarilla, NM 87575

Joann C. Martinez
P.O. 843
Tierra Amarilla, NM 87575